IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 27th day of June 2005
Criminal Misc. Bail Application No. 513/ 2005
Order on the bail application of accused

CRIMINAL SIDE
Man Singh S/o Lal Singh
R/o Village Shekhpur Chauhad
P.S. Chandpur
District Bijnor, U.P. .....Applicant

Versus

State of Uttaranchal

.....Opposite Party

Arising out of case crime No. 180/ 2004
U/s 302, 201, IPC
Police Station-Kankhal
District-Haridwar

Hon'ble J.C. S. Rawat, J.

Heard Sri Navneet Kaushik learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. As per prosecution version, the incident took place on 23.12.2004. Immediately thereafter, the photograph of the deceased was shown to his family members and the family members of the deceased kept silent about the apprehension of murder of their son by the applicant. When the relatives came from Bijnor on 18.12.2004, the applicant was also implicated as an accused alongwith Munesh. Thereafter, the statement of Rajpal and one more witness were recorded in the month of March after a lapse of about three months and it was stated that the deceased was lastly seen in the company of Rajpal and one another. It was further contended that the extra-judicial confession was made in the month of March after a lapse of about three months. The incriminating circumstances of last scene evidence and extra-judicial confession to Pradhan against the applicant have been recorded after a lapse of about three months. The learned counsel for the applicant further contended that the prosecution story is not reliable. Considering the facts and totality of the circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C. S. Rawat, J.)

Dated 27.06.2005
LSR